

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHARLES A. WILMOT, )  
 ) CASE NO. C12-1625-JCC-MAT  
Plaintiff, )  
 )  
v. )  
 ) REPORT AND RECOMMENDATION  
MICHAEL ASTRUE, )  
Commissioner of Social Security, )  
 )  
Defendant. )  
\_\_\_\_\_ )

Plaintiff brought this action to seek judicial review of the denial of his applications for Supplemental Security Income and Disability Insurance Benefits by the Commissioner of the Social Security Administration. The parties have now stipulated that this case should be reversed and remanded. (Dkt. 18.)

Based on the stipulation of the parties, the Court recommends this case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). The parties stipulate that, on remand, the Administrative Law Judge (ALJ) will: (1) consider Exhibit 24F and any additional evidence plaintiff submits or the ALJ obtains;

01 (2) expressly evaluate the medical source opinions in the updated record and explain the  
02 reasons for the weight she gives to this opinion evidence; (3) if plaintiff is not found disabled at  
03 step three of the sequential evaluation, further consider plaintiff's credibility and residual  
04 functional capacity on the updated record, citing specific evidence in support of the assessed  
05 limitations; (4) further consider whether plaintiff has past relevant work he could perform with  
06 the limitations established by the evidence; and (5) as appropriate, secure supplemental  
07 evidence from a vocational expert to clarify the effect of the assessed limitations on plaintiff's  
08 occupational base. The parties further agree that plaintiff will be afforded the opportunity to  
09 appear and testify at a supplemental hearing, that those other aspects of the ALJ's prior decision  
10 not specifically addressed here are not affirmed, and that the ALJ will make a de novo  
11 determination as to disability, and issue a new decision. Upon proper presentation, the Court  
12 will consider plaintiff's application for attorney fees.

13         Given the above, the Court recommends that United States District Judge John C.  
14 Coughenour immediately approve this Report and Recommendation and order the case  
15 REVERSED and REMANDED for further administrative proceedings. A proposed order  
16 accompanies this Report and Recommendation.

17         DATED this 25th day of January, 2013.

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20 Mary Alice Theiler  
21 United States Magistrate Judge  
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